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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 163  
134<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 163's Bill Analysis](#)

**Version:** As Reported by House Commerce and Labor

**Primary Sponsors:** Reps. Cutrona and Sweeney

**Local Impact Statement Procedure Required:** Yes

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### Highlights

- Government-owned hospitals would experience an increase in costs to hire additional nursing staff. These costs would likely be much greater than the costs of paying for overtime. The total costs would depend on the number of additional nurses needed.

### Detailed Analysis

The bill prohibits a hospital from requiring a registered nurse or a licensed practical nurse employed by the hospital to work overtime as a condition of continued employment. However, the bill does not prohibit a hospital from requesting or scheduling a nurse to work overtime (1) in the event of a health care disaster that increases the need for health care personnel and unexpectedly affects the hospital's service area, (2) when a federal, state, or county declaration of emergency is in effect in the hospital's service area, (3) when there is an emergency, unforeseen event, or influx of patients that results in patient care beyond predictable levels and increases the need for health care personnel, or (4) if the nurse is actively engaged in an ongoing medical or surgical procedure and the continued presence of the nurse through the completion of the medical treatment or procedure is necessary to ensure the patient's health and safety. The bill also does not prohibit a hospital from maintaining a predetermined schedule under which a nurse is in on-call status or from causing a nurse to be summoned to work while in on-call status.

## **Fiscal impact**

The provisions of the bill would likely require government-owned hospitals<sup>1</sup> to hire additional nursing staff. The Ohio Hospital Association (OHA) has stated that the costs to hire additional staff, which would include retirement and health insurance benefits, would likely be much greater than the costs associated with paying overtime for currently employed staff. The total costs would depend on the number of additional nurses hired as a result of the bill and would vary by hospital.

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<sup>1</sup> According to the Ohio Department of Health's Directory of Registered Hospitals, there are currently fewer than 20 government-owned hospitals in Ohio.